



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2018-01595

**Keyword:** Crime

**Subject:** Knife and Bladed Instrument Crime

### Request and Answer:

***PSNI are currently dealing with a high volume of FOI and Data Protection requests and this has impacted our ability to issue responses within the 20 day legislative time-frame. It has been noted that you have previously submitted FOI requests with the same/similar questions for partial year figures in relation to Knife Crime. It would be easier for PSNI to process 1 request for this information than several requests and this would also help avoid overlapping or duplication of any requested data.***

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold information to which your request relates and the decision has been taken to disclose the following.

### Request 1

Under the Freedom of Information Act I would like your police force to provide me with the following information. In each of the separate time periods:

March 1st 2016 and 30th June 2016

March 1st 2017 and 30th June 2017

March 1st 2018 and 30th June 2018

How many offences involving knives or bladed instruments were recorded by your force?

### Answer

Please see the Excel spreadsheet attached separately to this correspondence.

***Please note:*** <sup>1</sup> Offences include: Homicide, Attempted murder, Robbery, Threats to Kill, Rape & Sexual Assault and 5D Assault with intent to cause serious harm & <sup>2</sup> 8 N Assault with injury

<sup>2</sup> A sharp instrument is any object that pierces the skin (or in the case of a threat, is capable of piercing the skin), e.g. a broken bottle. The knife and sharp instrument figures are based on weapon details taken from a live operational system and are therefore subject to change.

### Request 2

Please list the names, gender and ages (if known) of any victims of homicide involving knives or bladed instruments during the above period.

## **Answer**

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

The exemption, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 38 (1) (a) – Health & Safety – Information is exempt information if its disclosure under this Act would, or would be likely to (a) endanger the physical or mental health of any individual

We have explained below in our response why this exemption is engaged and the full text of this exemption can be found at [www.legislation.gov.uk](http://www.legislation.gov.uk). Further guidance on how this operates can be located on the Information Commissioners Office website [www.ico.org.uk](http://www.ico.org.uk)

Section 38 is a prejudice based qualified exemption which means that the legislators have identified that the harm (prejudice) in disclosure as well as the public interest considerations need to be evidenced and articulated. In relation to the harm we consider would occur we have set out our views below.

## **Harm**

We consider Section 38 provides an exemption from disclosing information if such a disclosure would endanger any individual. It is our view that it is wide enough to include those members of the general public including those family members of the deceased.

It is our view (and that of the Information Commissioner) that in order to demonstrate a danger to mental health under Section 38, clinical evidence of a psychiatric condition is not necessary. This has been confirmed by the Information Tribunal which in the PETA case (PETA v Information Commissioner & University of Oxford EA/2009/0076). It also explained however that the effect of the disclosure upon any individual's mental health must "go beyond stress or worry". Releasing information could jeopardise the physical and mental wellbeing of family members of the deceased in relation to each case.

## **Public Interest Test**

### Factors Favouring Disclosure

The names of the deceased would have been released into the public domain at the time of the homicides.

### Factors Favouring Non- Disclosure

PSNI consider that releasing this information would cause distress to relatives and close friends of the deceased and likely impact on their mental health.

## **Decision**

Although there is a public interest in the transparency of police investigations and it is acknowledged there is information already in the public domain, the police service has a duty of care to ensuring that release of any information would not have a detrimental effect on the mental wellbeing of family and close friends of those deceased. Therefore, the balance of the public interest favours withholding the information at this time.

## **Request 3**

Please state the overall number of victims of crimes involving knives or bladed instruments during that period, regardless of whether they were injured or not.

## **Answer**

Please see the Excel spreadsheet attached separately to this correspondence.

**Please note:** <sup>1</sup> Offences include: Homicide, Attempted murder, Robbery, Threats to Kill, Rape & Sexual Assault and 5D Assault with intent to cause serious harm & 8 N Assault with injury

<sup>2</sup> A sharp instrument is any object that pierces the skin (or in the case of a threat, is capable of piercing the skin), e.g. a broken bottle. The knife and sharp instrument figures are based on weapon details taken from a live operational system and are therefore subject to change.

## **Request 4**

Please group the victims in question 3 into age ranges (12 and under, 13 to 16, 17 to 19, 20 to 24, 25 to 29, 30 to 34, 35 to 39 and 40 and over) and gender.

I wish to receive the information you hold in an electronic format, preferably in a Microsoft Excel format.

I'd be grateful if you could break the information down into separate calendar years for 2016, 2017 and 2018.

## **Answer**

Please see the Excel spreadsheet attached separately to this correspondence.

**Please note:** <sup>1</sup> Offences include: Homicide, Attempted murder, Robbery, Threats to Kill, Rape & Sexual Assault and 5D Assault with intent to cause serious harm & 8 N Assault with injury

<sup>2</sup> A sharp instrument is any object that pierces the skin (or in the case of a threat, is capable of piercing the skin), e.g. a broken bottle. The knife and sharp instrument figures are based on weapon details taken from a live operational system and are therefore subject to change.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing [foi@psni.pnn.police.uk](mailto:foi@psni.pnn.police.uk).

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ [www.psnipolice.uk](http://www.psnipolice.uk)

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

